

ADVISORY OPINION 93-023

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121. 135(4).

October 30, 1993

Mr. Russell Quick, Executive Director
The Republican Party of Jefferson County
232 West Muhammad Ali Boulevard
Louisville, Kentucky 40202

Dear Mr. Quick:

Thank you for contacting the Registry. Because you reference Advisory Opinion 93-008, the Republican Party of Jefferson County will be confined to the material facts in that question. Therefore, the facts of your question can be stated as follows:

The Republican Party of Jefferson County, Kentucky, regularly publishes a newsletter. If lawful, the Jefferson County Republican Party would like to sell advertising space in its newsletter to various advertisers, including corporations.

Your question may be stated as follows:

Is it lawful for the Jefferson County Republican Party to sell advertising space to corporations in its regularly published newsletter?

KRS 121.150(21) states:

No candidate, slate of candidates, committee, except a political issues committee, or contributing organization, nor anyone on their behalf, shall knowingly accept a contribution from a corporation, directly or indirectly. Id. (emphasis added).

The short answer to your question is yes. The Registry's view is that since the Jefferson County Republican Party monetarily supports various candidates, the support would be, in part, indirect corporate money if the Jefferson County Republican Party received corporate funds for advertising charges and used those funds to support candidates for office. Therefore, the Jefferson County Republican Party may charge corporations for advertising in its publication, but it must charge regular rates for comparable publications, and it must place the money it receives for the advertising in its dedicated, separate administrative account only to be used for party administrative expenses. Id. [See also Ky. Const., Section 150, and KRS 121.035(2)].

This opinion is based upon the course of action outlined in your letter. If you should have any more questions, please contact us. Thank you.

Sincerely,

Timothy E. Shull
General Counsel

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